

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

MUSCOGEE (CREEK) NATION,)

Plaintiff,)

v.)

Case No. 25-CV-75-GKF-JFJ

STEVE KUNZWEILER, in his official)

capacity as District Attorney for the)

Fourteenth Prosecutorial District of)

Oklahoma; and VIC REGALADO, in his)

official capacity as Tulsa County Sheriff,)

Defendants.)

ORDER


This matter comes before the court on defendants’ Motion for Stay of Proceedings. [Doc. 71]. Defendants seek a stay pending the resolution of a Petition for Writ of Certiorari filed with the United States Supreme Court in *Stitt v. City of Tulsa*, No. 25-30 (U.S.).

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). However, “the right to proceed in court should not be denied except under the most extreme circumstances.” *Comm. Fut. Trading Comm’n v. Chilcott Portfolio Mgmt., Inc.*, 713 F.2d 1477, 1484 (10th Cir. 1983) (quoting *Klein v. Adams & Peck*, 436 F.2d 337, 339 (2d Cir. 1971)).

Defendants contend that the U.S. Supreme Court’s resolution of the issue presented in the Petition for Writ of Certiorari filed July 7, 2025 in *Stitt v. City of Tulsa* “could resolve the central question [in the instant case] entirely.” But the Petition is not yet ripe and the Supreme Court has not granted a writ of certiorari. In the event the Supreme Court grants the writ, defendants will have a more compelling argument in support of a stay.

On balance, defendants have not demonstrated that this is one of the “extreme circumstances” where the right to proceed in court should be denied. *Chilcott Portfolio*, 713 F.2d at 1484. For this reason, the Motion for Stay of Proceedings [Doc. 71] is denied, without prejudice.

IT IS SO ORDERED this 24th day of July, 2025.


GREGORY K. FRIZZELL
UNITED STATES DISTRICT JUDGE